

### **REMARKS/ARGUMENTS**

With this Amendment, Applicant amends claims 21, 22, 25 and 26 and adds new claim 27. No new matter is added. Therefore, claims 1-27 are all the claims currently pending in the application. In light of the foregoing amendments and the following remarks, Applicant respectfully requests reconsideration and allowance of all of the claims of the present application.

#### **I. Rejection of Claims 1-26 Under 35 U.S.C. § 103(a)**

Claims 1-26 stand rejected under 35 U.S.C. § 103(a) as being allegedly unpatentable over D'Souza et al. (U.S. Patent No. 6,745,224 B1; hereinafter "D'Souza") in view of Hoag (U.S. Patent No. 6,114,978; hereinafter "Hoag").

Claim 1 requires "a method of accessing functionalities in hypermedia to be parsed and rendered by a user agent, the *hypermedia including at least one element* that has a *predetermined attribute* whereby a dynamically assignable keyboard shortcut for the user agent actuates a predetermined functionality associated with the at least one element, the method comprising: parsing the hypermedia; collating data corresponding to the at least one element in the hypermedia that *have been assigned a keyboard shortcut using said predetermined attribute*; and rendering a display of the collated data."

Applicant submits that D'Souza and Hoag, either alone or in combination, do not teach or suggest all of the above features of claim 1. Applicant respectfully submits that the construction of the claims, which the Examiner must adopt to make an obviousness objection over D'Souza in view of Hoag is not reasonable. Rather, the Examiner is simply giving the combination of D'Souza and Hoag credit for more than they actually disclose. In contrast to claim 1, D'Souza, at best, discloses an application, Web Check, which maintains locally stored copies of hypermedia documents in either the Internet cache or in file system folders. The application provides continually updated local copies of the websites for off-line use, such as for off-line browsing using the browser. The documents and websites may be Internet Shortcuts saved in a Shortcuts folder. Web Check may also cache and update other documents directly referenced in the websites in the Shortcuts folder. Additionally, Web Check maintains "about web site"

properties, including what is new in the updated version of a website, the last time the website was visited and when it was last updated.

In the Office Action, the Examiner considers the Web Check application to map onto the “user agent” of claim 1. Moreover, it appears that the Examiner considers each URL specified in the Internet Shortcut folder to map onto “an element” in claim 1. Applicant submits that the Examiner incorrectly interprets an Internet Shortcut to be the same as a keyboard shortcut because characters from the keyboard are used to implement those shortcuts. Consequently, the Examiner considers that the process of parsing the hypermedia documents corresponding to the URLs in the Internet Shortcut folder for updates to update the “about web site” properties, caching the updated documents and retrieving and displaying the cached document on user instruction, to correspond in claim 1, to “parsing the hypermedia; collating data corresponding to the at least one element in the hypermedia that have been assigned a keyboard shortcut using said predetermined attribute and rendering a display of the collated data.”

The Examiner argues that although D’Souza does not distinctly teach assigning a keyboard shortcut to at least one element in hypermedia, this feature is well known and would have been an obvious modification to the system of D’Souza in view of Hoag. Applicant disagrees and challenges the assertion that such a feature is well known. Hoag, at best, discloses the use of key board shortcuts to implement a macro, subroutine or other defined application function. It is not clear exactly how the Examiner envisages that the modification would be implemented but even assuming *arguendo* that the Examiner considers that each Internet shortcut URL would have a keyboard shortcut the combination of D’Souza and Hoag still does not teach or suggest all of the features of claim 1.

Applicant submits that the Examiner’s rejection of the claims rely on a construction that a person skilled in the art would not contemplate. The skilled artisan would not consider the claimed “element” to correspond to a complete URL as required by the Examiner’s construction. Moreover, the Examiner does not clearly indicate exactly what in D’Souza corresponds to the claimed “predetermined attribute.” The Examiner appears to suggest that a URL that is saved in the Shortcut folder corresponds to the claimed predetermined attribute. However, a skilled

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person in the field of hypermedia programming would not construe a URL saved in a particular folder as an attribute of that URL.

Additionally, there is no disclosure, teaching or suggestion in D'Souza relating to the "about web site" properties actually ever being displayed. Consequently, the Examiner must be construing the collated data, which is displayed, as the whole cached hypermedia document. A skilled person would not construe "collating data corresponding to the at least one element," as caching a webpage.

Additionally, the skilled person would not interpret an Internet shortcut as defined by D'Souza to be a keyboard shortcut. While in some circumstances characters from the keyboard are used to implement Internet shortcuts, more often they are not. Moreover, it would not make sense to modify D'Souza in view of Hoag such that each Internet Shortcut has a keyboard shortcut because a large number of URLs can be stored in the Shortcut folder and it would not make sense to have a separate keyboard shortcut for each and every one of them.

For at least the foregoing reasons, Applicant submits that the combination of D'Souza and Hoag is deficient and does not teach or suggest all of the features of claim 1. Applicant therefore respectfully requests the Examiner to reconsider and withdraw the § 103(a) rejection of claim 1 and its dependent claims 2, 3, 4, 5 and 6.

Independent claims 7, 11, 19-21 and 26 each include recitations substantially similar to those of independent claim 1 with respect to elements that have been assigned a keyboard shortcut or access attribute except that the elements are identified. Since claims 7, 11, 19, 20, 21 and 26 contain features that are analogous to, though not necessarily coextensive with, the features recited in claim 1, Applicant submits that claims 7 and 11 and their respective dependent claims 8-10 and 12-18 as well as claims 19, 20, 21, 22-25, and 26 are patentable at least for reasons analogous to those submitted for claim 1. With further regard to claims 21 and 26, Applicant points out that claims 21 and 26 are herein amended to recite identifying "at least one mark up code element in the hypermedia document". Applicant submits that the Internet Shortcut URL of D'Souza, which the Examiner considers to correspond to the claimed element of claim 1, is at best, a hypermedia document and not a "mark up code element in a hypermedia

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document,” as claimed. Therefore, amended independent claims 21 and 26 are clearly patentably distinguished over D’Souza and Hoag for at least this additional reason.

## **II. New Claims**

Applicant has added new claim 27 in order to more fully cover various aspects of Applicant’s invention as disclosed in the specification. Applicant respectfully submits that claim 27 should be allowable because the cited combination of references do not teach or suggest the recitations of this claim. Since claim 27 contains features that are analogous to, though not necessarily coextensive with, the features recited in claim 1, Applicant submits that claim 27 is patentable at least for reasons analogous to those submitted for claim 1.

## **III. Conclusion**

In view of the amendment and remarks submitted above, it is respectfully submitted that the present claims are in condition for immediate allowance. It is therefore respectfully requested that a Notice of Allowance be issued. The Examiner is encouraged to contact Applicant’s undersigned attorney to resolve any remaining issues in order to expedite examination of the present invention.

It is not believed that extensions of time or fees for net addition of claims are required, beyond those that may otherwise be provided for in documents accompanying this paper. However, in the event that additional extensions of time are necessary to allow consideration of this paper, such extensions are hereby petitioned under 37 C.F.R. § 1.136(a), and any fee required therefore (including fees for net addition of claims) is hereby authorized to be charged to Deposit Account No. 16-0605.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Cory C. Davis", with a stylized flourish at the end.

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